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Contents: Outside ActivitiesEffective Date: **September 2002**Point of Contact: [Senior Human Resources Representative](#)

Section**Overview of Content**
(see section for full process)[Introduction](#)[1. Requesting to Engage in Outside Activity](#)

- Complete forms.
- Submit for review and approval.

[Definitions](#)**Exhibits**

None

Forms[Details of Request to Engage in Outside Activity Form](#)[Request for Consent to Engage in Outside Activity Form](#)

Training Requirements and Reporting Obligations

This subject area does not contain training requirements.

This subject area does not contain reporting obligations.

References

None

Standards of Performance

All staff and guests shall appropriately protect accountable materials, classified matter, sensitive information, resources, and assets.

Management System

This subject area belongs to the **Human Resources** management system.

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Introduction: Outside ActivitiesEffective Date: **September 2002**Point of Contact: [Senior Human Resources Representative](#)

The activities of Brookhaven National Laboratory (BNL) are conducted under a contract between Brookhaven Science Associates (BSA) and the Department of Energy (DOE). The terms of the contract include certain requirements concerning employee outside activities that might constitute or give the appearance of a conflict of interest. As such, employees who engage in outside activities are required to complete a [Request for Consent to Engage in Outside Activity Form](#) with the [Details of Request to Engage in Outside Activity Form](#) indicating the outside employer and obtaining the approvals of Department/Division management, their Assistant or Associate Laboratory Director, and Laboratory Counsel for such work.

This subject area describes the procedures for requesting permission to engage in outside activities.

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Subject Area: **Outside Activities**

1. Requesting to Engage in Outside Activity

Effective Date: **September 2002**

Point of Contact: [Senior Human Resources Representative](#)

Applicability

This information applies to all BNL staff who engage in outside activity.

Required Procedure

The activities of BNL are conducted under a contract between Brookhaven Science Associates (BSA) and the Department of Energy (DOE), the terms of which include certain policies concerning employee outside activities that might constitute or give the appearance of a conflict of interest.

BSA requires that BNL employees

- Neither give gratuities to DOE employees nor accept gratuities or special favors from individuals or organizations with which BNL is doing or intends to do business;
- Not use information that is acquired in connection with their employment with BNL for their own personal gain or for any other improper use;
- Not accept employment outside of their official hours of duty (or while on leave/vacation) that will interfere with or otherwise adversely impact their work for Brookhaven or create or appear to create a conflict of interest;
- Not participate in, or attempt to influence in any way, decisions of Brookhaven where there is a personal interest of the employee involved. As used herein, the term "personal interest" includes an interest of an employee, his or her spouse, and immediate family in an employment or consulting relationship with, or a significant financial interest in (1) an organization with which Brookhaven does or may do business, or (2) a competitor of such an organization.

Step 1	Staff entering into outside consulting or other outside employment, complete the Request for Consent to Engage in Outside Activity Form and the Details of Request to Engage in Outside Activity Form . Note: Staff applying for funding from sources other than DOE may have additional disclosure obligations. Information regarding this should be obtained from the Office of General Counsel.
Step 2	Submit the forms to your Departmental Administrative Contact who will seek approval from the Department Chair/Division Manager.
Step 3	If the Department Chair/Division Manager approves, the Department Administrative Contact sends the forms to the Senior Human Resources Representative . If the Department Chair/Division Manager disapproves, the Department Administrative Contact

	returns the forms to the employee with an explanation of why approval was not granted.
Step 4	The Human Resources Administrative Contact sends the forms to the appropriate Associate/Assistant Laboratory Director (ALD) for review and approval.
Step 5	The ALD sends the forms to the Laboratory Counsel for review and approval.
Step 6	Once the request is fully approved, the Laboratory Counsel sends the forms to the Human Resources Division. Note: Staff must complete the forms every two years, and they also must advise the Laboratory if their situation concerning the outside activity changes.
Step 7	The Human Resources Division sends copies of the signed signature page (Request for Consent to Engage in Outside Activity Form) to the staff member and his/her Department Chair/Division Manager.

Guidelines

If staff have any questions concerning the interpretation of these requirements, they should contact the Laboratory Counsel for explanation, advice, and decision.

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BROOKHAVEN NATIONAL LABORATORY
HUMAN RESOURCES DIVISION

DETAILS OF REQUEST TO ENGAGE IN OUTSIDE ACTIVITY

LIFE NUMBER: _____

NAME OF EMPLOYEE: _____ DATE OF REQUEST: _____

BNL DEPARTMENT/DIVISION: _____ BLDG. NUMBER: _____

1. INFORMATION ON OUTSIDE ORGANIZATION:

NATURE OF BUSINESS:

ORGANIZATION CODE ☐ NAME _____

(See Organization Codes)

ADDRESS _____

2. ARE THEIR EXISTING BUSINESS RELATIONS BETWEEN THE OUTSIDE ORGANIZATION AND BNL OR YOURSELF, OR ANY BUSINESS RELATIONS THAT YOU KNOW OF BETWEEN THE OUTSIDE ORGANIZATION AND ANY OTHER BROOKHAVEN EMPLOYEE?

☐ YES

☐ NO

IF YES, GIVE DETAILS: _____

3. NATURE OF WORK YOU WILL BE PERFORMING:

4. DOES THE WORK INVOLVE ANY BSA PATENT INVENTION TO WHICH BSA INTENDS TO TAKE TITLE, OR A PATENT OR INVENTION IN WHICH YOU HAVE A PERSONAL INTEREST?

☐ YES

☐ NO

IF YES, GIVE DETAILS: _____

5. WILL THE WORK RESULT IN INVENTIONS/INTELLECTUAL PROPERTY?

☐ YES

☐ NO

IF YES, DOES YOUR OUTSIDE CONSULTING AGREEMENT
CONTAIN THE REQUIRED NOTICE PROVISION?
(SEE SSM 6.0 ON OUTSIDE PROFESSIONAL ACTIVITIES)

6. NATURE OF AGREEMENT:

☐ ORAL ☐ WRITTEN (Copy of written agreement must be attached to this request)

7. START DATE: _____ **END DATE:** _____

DECLARE THE PROPOSED PERIODS OF SERVICE, IN DAYS:

☐ VACATION ☐ LEAVE WITHOUT PAY ☐ WEEKENDS AND/OR EVENINGS

8. RATE OF PAYMENT:

PER DAY \$:

PER HOUR \$

PER SEMESTER \$:

LUMP SUM \$:

OTHER (e.g. per meeting, per proposal, royalties) _____

TOTAL \$: _____

9. IS PAYMENT FROM U.S. GOVERNMENT FUNDS?

☐ YES ☐ NO IF YES, GIVE DETAILS: _____

10. STATUS OF YOUR CURRENT, PREVIOUSLY APPROVED OUTSIDE ACTIVITIES:

ORGANIZATIONAL CODES:

- A EDITORIAL BOARDS, OR OTHER WRITING/EDITING
- B ACADEMIC INSTITUTIONS – TEACHING, THESIS ADVISING, RELATED ACTIVITY
- B2 ACADEMIC INSTITUTIONS – ADJUNCT APPOINTMENT
- C U.S. GOVERNMENT
- D STATE GOVERNMENT
- E REGIONAL GOVERNMENT
- F EMPLOYEE – OWNED OR MANAGED BUSINESS
- G RESEARCH FOUNDATIONS
- H LAW FIRMS
- I INDUSTRY/BUSINESS

J **OTHER (Specify)** _____

BROOKHAVEN NATIONAL LABORATORY
Request for Consent to Engage in Outside Activity

TO: **Human Resources Division**

FROM:

Approval to engage in the outside professional activity described on the attached form is hereby requested. Attached is a copy of the proposed agreement with the organization with which I will consult or be employed.

I acknowledge that I have read and am familiar with the published policies of the Department of Energy (DOE) and Brookhaven set forth in:

- (a) * DEAR 970.5204-27(b), "Conduct of employees and consultants of DOE management and operating contractors," and;
- (b) the Laboratory's "Outside Activities and Conflicts of Interest Policies."

I agree not to withhold or delay reporting information acquired through my employment with Brookhaven National Laboratory (BNL) in favor of _____ with whom I have made or am contemplating making a consulting or other employment agreement. I have also read or have had explained to me the requirements of BNL's contract with the DOE relating to patents. To the best of my knowledge and belief, the outside activities to be performed will not conflict with the policies set forth in 970.5204-27 (b) *, the patent and security provisions of BNL's contract with the DOE, or with the responsibility of BNL to report fully and promptly to the DOE all significant research and development information. If, in the course of my activities under my outside employment arrangement, it appears that such a conflict may arise, I will promptly notify and consult with my primary employer, Brookhaven National Laboratory, concerning such possible conflict.

I agree not to use information that is acquired in connection with my employment with BNL for my own personal gain or for any other improper use, nor will I accept a consulting or employment arrangement outside my official hours of duty (or while on leave/vacation) that will interfere with or otherwise adversely impact my work for Brookhaven or create or appear to create a conflict of interest. Further, I will not participate in, or attempt to influence in any way, decisions of Brookhaven where I have a personal interest, including an interest of my spouse, or immediate family member.

Staff Member _____ Date _____

RECOMMENDATION:		
	Department Chair/Division Manager	Date
APPROVALS:		
	Associate/Assistant Laboratory Director	Date
	General Counsel	Date

CONDITIONS:

Insofar as the dissemination of both classified and unclassified technical information is concerned, it is the policy of the DOE that:

- (a) all research and development activities producing significant information shall be promptly and fully reported to the DOE;
- (b) technical information resulting from research and development work shall be reported in distributable documents for dissemination as the DOE directs, and;
- (c) scientific and technical personnel employed by the DOE and its contractors shall be authorized and encouraged to submit non-classified reports to established scientific and technical journals for publication in accordance with standard practice.

* Available from The Office of General Counsel - **APPROVAL IS VALID FOR ONLY TWO YEARS**

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Definitions: Outside ActivitiesEffective Date: **September 2002**Point of Contact: [Senior Human Resources Representative](#)

Term	Definition
outside activity	Employment or consulting outside the employee's responsibilities to the Laboratory that could possibly interfere with or otherwise adversely impact the employee's work for Brookhaven, or possibly create or give the appearance of creating a conflict of interest for the employee or the Laboratory.
personal interest	An interest of an employee, his or her spouse, and immediate family in an employment or consulting relationship with, or a significant financial interest in (1) an organization with which Brookhaven does or may do business, or (2) a competitor of such an organization.

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Revision History: Outside Activities

Point of Contact: [Senior Human Resources Representative](#)

Revision History of this Subject Area

Date	Description	Management System
September 2002	<p>The activities of BNL are conducted under a contract between Brookhaven Science Associates (BSA) and the Department of Energy (DOE). The terms of BNL's contract between BSA and DOE include certain requirements concerning employees' outside activities that might constitute or give the appearance of a conflict of interest. Employees who engage in outside activities are required to obtain the approvals of Department/Division management, their Assistant or Associate Laboratory Director, and Laboratory Counsel for such work.</p> <p>This subject area describes the procedures for requesting permission to engage in outside activities.</p>	Human Resources

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